

1 BILL NO. S-89-12- 54

2 SPECIAL ORDINANCE NO. S- 13-90

3 AN ORDINANCE approving the awarding of  
4 Reference #899 by the City of Fort  
5 Wayne, Indiana, by and through its  
6 Department of Purchasing and WAYNE PIPE  
7 & SUPPLY, INC. AND THE TREATY COMPANY  
8 for the Water Maintenance Department.


9 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
10 THE CITY OF FORT WAYNE, INDIANA;

11 SECTION 1. That Reference #899 between the City of  
12 Fort Wayne, by and through its Department of Purchasing and  
13 WAYNE PIPE & SUPPLY, INC. AND THE TREATY COMPANY, for the  
14 Water Maintenance Department, respectfully for:

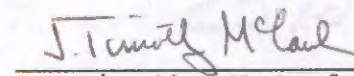
15 the purchase of curb and valve boxes for  
16 1990 for the Water Maintenance  
17 Department;

18 involving a total cost of Forty-One Thousand and no/100+/-  
19 Dollars (\$41,000.00+/-), - (WAYNE PIPE & SUPPLY, INC.-  
20 \$32,000.00+/-; TREATY COMPANY - \$9,000.00+/-), all as more  
21 particularly set forth in said Reference #899 which is on  
22 file in the Office of the Department of Purchasing, and is  
23 by reference incorporated herein, made a part hereof, and is  
24 hereby in all things ratified, confirmed and approved.

25 SECTION 2. That this Ordinance shall be in full force  
26 and effect from and after its passage and any and all  
27 necessary approval by the Mayor.

28   
29 Councilmember

30 APPROVED AS TO FORM  
31 AND LEGALITY

32   
J. Timothy McCaulay, City Attorney



REF. NO.:	899
DEPT.:	WATER MAINTENANCE
DATE:	12/14/89
ITEM/SERV.:	CURB/VALVE BOXES

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	11/9/89 & 11/16/89
OPENING DATE:	11/29/89
WRITTEN QUOTE:	

DUE DATE:	
VERBAL QUOTE:	

SINGLE SOURCE:

NO. OF VENDORS NOTIFIED:	11
NO. OF VENDORS RECEIVING BID:	8
NO. OF VENDORS RETURNING BID:	4
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	7

DATE SENT TO DEPT FOR RECOMM.:	11/30/89
DATE RECOMMENDATION REC'D IN PURCH:	12/14/89

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
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DATE INFO SENT TO LAW DEPT.:	12/14/89
INTRODUCTION DATE:	12/26/89
DISCUSSION DATE:	1/2/89
PASSAGE DATE:	1/9/90

ORDINANCE NO.:

AMOUNT APPROVED AND/OR SPENT  
LAST YEAR: (IF APPLICABLE)

REFERENCE NO. 899  
VALVE & CURB BOXES  
W M & S

CURB BOXES

DESCRIPTION	QTY UNIT	ETNA		WAYNE PIPE		TREATY CO		UNDERGROUND		EJP
	+/-									
COMPLETE W/LID #93E	800 EA	\$14.54	\$11,632.00	\$14.99	\$11,992.00	N/B	\$0.00	\$15.40	\$12,320.00	NO BID
24" TOP SECT	100 EA	\$8.66	\$866.00	\$8.92	\$892.00	N/B	\$0.00	\$9.20	\$920.00	
9" EXTENSION	300 EA	\$3.88	\$1,164.00	\$4.00	\$1,200.00	N/B	\$0.00	\$4.10	\$1,230.00	
16" EXTENSION	100 EA	\$4.83	\$483.00	\$4.97	\$497.00	N/B	\$0.00	\$5.10	\$510.00	
BOTTOM SECTION	50 EA	\$5.88	\$294.00	\$6.07	\$303.50	N/B	\$0.00	\$6.25	\$312.50	
ENLARG. BASE #6500	50 EA	\$4.75	\$237.50	\$10.10	\$505.00	\$6.66	\$333.00	\$5.80	\$290.00	
REPAIR LID #H10374	1600 EA	\$5.30	\$8,480.00	\$5.40	\$8,640.00	\$4.69	\$7,504.00	\$5.35	\$8,560.00	
			\$23,156.50		\$24,029.50		\$7,837.00		\$24,142.50	

VALVE BOXES

LIDS	250 EA	\$4.81	\$1,202.50	\$4.98	\$1,245.00	N/B	\$0.00	\$5.10	\$1,275.00	
TOP SECT 12"	1 EA	\$9.72	\$9.72	\$15.02	\$15.02	N/B	\$0.00	\$15.50	\$15.50	
TOP SECT 16"	100 EA	\$13.18	\$1,318.00	\$18.60	\$1,860.00	N/B	\$0.00	\$19.20	\$1,920.00	
TOP SECT 28"	300 EA	\$18.72	\$5,616.00	\$24.33	\$7,299.00	N/B	\$0.00	\$25.10	\$7,530.00	
BOTTOM SECT 18"	25 EA	\$10.37	\$259.25	\$10.74	\$268.50	N/B	\$0.00	\$11.00	\$275.00	
BOTTOM SECT 24"	25 EA	\$11.74	\$293.50	\$12.14	\$303.50	N/B	\$0.00	\$12.50	\$312.50	
BOTTOM SECT 30"	100 EA	\$11.86	\$1,186.00	\$13.59	\$1,359.00	N/B	\$0.00	\$14.00	\$1,400.00	
EXTENSION 12"	50 EA	\$8.86	\$443.00	\$9.14	\$457.00	N/B	\$0.00	\$9.45	\$472.50	
BASE	50 EA	\$13.15	\$657.50	\$13.59	\$679.50	N/B	\$0.00	\$14.00	\$700.00	
VB12 EXTENSION	250 EA	\$13.92	\$3,480.00	\$11.65	\$2,912.50	\$26.13	\$6,532.50	\$23.15	\$5,787.50	
LID ONLY	1 EA	\$4.81	\$4.81	\$9.32	\$9.32	\$6.15	\$6.15	\$5.40	\$5.40	
			\$14,470.28		\$16,408.34		\$6,538.65		\$19,693.40	
GRAND TOTAL			\$37,626.78		\$40,437.84		\$14,375.65		\$43,835.90	



FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 11-29-89 @ 11:00 AM BID REFERENCE # 899

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR VALVE & CRUB BOXES PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE DEPT

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A \_\_\_\_\_ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: \_\_\_\_\_ 0%  
IF PAID WITHIN Net 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME The Treaty Company

STREET ADDRESS 501 Gray Avenue, P.O. Box 40

CITY Greenville, OH PHONE # (513) 548-2181

BY A.C. McElwain  
REPRESENTATIVE SIGNATURE

A. C. McElwain, President  
Municipal Materials Div.



# The Ohio Casualty Insurance Company

HAMILTON, OHIO

## BID OR PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we,

The Treaty Company

(hereinafter called the Principal) as Principal, and THE OHIO CASUALTY INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, with its principal office in the City of Hamilton, Ohio (hereinafter called the Surety) and licensed to do business in the State of  
as Surety, are held and firmly bound unto  
City of Ft. Wayne  
Ft. Wayne, Indiana

(hereinafter called the Obligee) in the penal sum of

Seven Hundred & Twenty----- Dollars (\$ 720.00 )  
lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal has submitted the accompanying bid, dated November 29, 1989, for

Valve & Curb Boxes

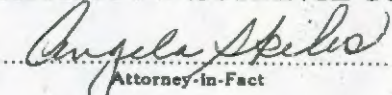
NOW, THEREFORE, if the Obligee shall make any award according to the terms of said bid and the Principal shall enter into a contract with said Obligee in accordance with the terms of said bid and give bond for the faithful performance thereof within the time specified; or if no time is specified within thirty days after the date of said award; or if the Principal shall, in the case of failure so to do, indemnify the Obligee against any loss the Obligee may suffer directly arising by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void: otherwise to remain in full force and virtue.

Signed, Sealed and Dated this 27th day of November, 1989.

The Treaty Company

(Principal)  
By Michael R. Tinka

THE OHIO CASUALTY INSURANCE COMPANY

By   
Attorney-in-Fact



# THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 25-882

**Know All Men by These Presents:** That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint:

Alan V. Littman or Hance S. Hildebrand

or Angela S. Skiles or David L. Keiser - - - - - of Greenville, Ohio - - - - -

its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

**TWO MILLION FIVE HUNDRED THOUSAND - - - - - (\$ 2,500,000.00 - -) Dollars,**  
excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 12th day of September 1989.



STATE OF OHIO,  
COUNTY OF BUTLER

} ss.

*John B. Vail*  
Assistant Secretary

On this 12th day of September A. D. 19 89 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came John B. Vail, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposed and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



*David B. Biles*  
Notary Public in and for County of Butler, State of Ohio

My Commission expires December 25, 1991.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

## "ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

## CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 27th day of Nov. A.D., 19 89



S-4300-C 4-88 15M

*Hance S. Hildebrand*  
Assistant Secretary



PRICE SHEET

CURB BOXES - CHARLOTTE BRAND ONLY

QTY	UNIT	DESCRIPTION	BRAND	PART #	UNIT	/	TOTAL
800	EA +/-	COMPLETE W/LID #93E			\$	NO BID/\$	
100	EA +/-	24" TOP SECTION			\$	NO BID/\$	
300	EA +/-	9" EXTENSION			\$	NO BID/\$	
100	EA +/-	16" EXTENSION			\$	NO BID/\$	
50	EA +/-	BOTTOM SECTION			\$	NO BID/\$	

CURB BOXES - TYLER BRAND ONLY

50	EA +/-	ENLARGED BASE #6500	TYLER	6500	\$ 6.66	/	\$ 333.00
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CURB BOXES - MUELLER BRAND ONLY

1600	EA +/-	REPAIR LID #H10374	MUELLER	H10374	\$ 4.69	/	\$ 7504.00
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TOTAL: \$ 7837.00

FOB: FORT WAYNE

DELIVERY TIME ARO: Stock to 14 days.



PRICE SHEET

VALVE BOXES - CHARLOTTE BRAND ONLY

QTY	UNIT	DESCRIPTION	BRAND	PART #	UNIT	/	TOTAL
250	EA +/-	LIDS			\$ NO BID	/	\$
1	EA +/-	TOP SECT 12" LONG			\$ NO BID	/	\$
100	EA +/-	TOP SECT 16" LONG			\$ NO BID	/	\$
300	EA +/-	TOP SECT 28" LONG			\$ NO BID	/	\$
25	EA +/-	BOTTOM SECT 18" LONG			\$ NO BID	/	\$
25	EA +/-	BOTTOM SECT 24" LONG			\$ NO BID	/	\$
100	EA +/-	BOTTOM SECT 30" LONG			\$ NO BID	/	\$
50	EA +/-	EXTENSION 12" LONG			\$ NO BID	/	\$
50	EA +/-	BASE			\$ NO BID	/	\$

VALVE BOX - TYLER BRAND ONLY

250	EA +/-	VB12 EXTENSION, W/V8 DROP LID	TYLER	VB12/VB9	\$ 26.13	/	\$ 6532.50
1	EA +/-	LID ONLY	TYLER	VB9 LID	\$ 6.15	/	\$ 6.15
						TOTAL:	\$ 6538.65

FOB: FORT WAYNE

DELIVERY TIME ARO: Stock to 14 Days



# BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)  
(Please type or print)

Date: Nov. 27, 1989  
 1. Governmental Unit: City of Ft. Wayne, Indiana  
 2. County: Allen County  
 3. Bidder (Firm): The Treaty Company  
 Address: 501 Gray Avenue  
Greenville, Ohio 45331  
 4. Telephone Number: 513/548-2181  
 5. Agent of Bidder (if applicable): A. C. McElwain

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

A. C. McElwain  
 Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
 ) SS:  
Darke COUNTY )

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

The Treaty Company  
 Bidder (Firm)  
A. C. McElwain  
 Signature of Bidder or Agent

Subscribed and sworn to before me this 27th day of November, 19 89.  
 My Commission Expires: 08/07/91  
 County of Residence: Darke

Sharon J. Edwards  
 Notary Public  
Sharon J. Edwards  
 Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unbilled appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 11-29-89 @ 11:00 AM BID REFERENCE # 899

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR VALVE & CRUB BOXES PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE DEPT

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A \_\_\_\_\_ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: \_\_\_\_\_ 0 %  
IF PAID WITHIN NET 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME WAYNE PIPE & SUPPLY, INC.

STREET ADDRESS 1815 S. ANTHONY BLVD.

CITY FORT WAYNE PHONE # 219-423-9577

BY *O. P. Achmian*  
REPRESENTATIVE SIGNATURE



# BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: NOVEMBER 28 1989  
 1. Governmental Unit: CITY OF FORT WAYNE  
 2. County: ALLEN  
 3. Bidder (Firm): WAYNE PIPE & SUPPLY, INC.  
 Address: 1815 S. ANTHONY BLVD.  
 City/State: FORT WAYNE, INDIANA 46803  
 4. Telephone Number: 219-423-9577  
 5. Agent of Bidder (if applicable): R.C. SCHMIEMAN

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FORT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

R.C. Schmieman  
Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
 ) SS:  
ALLEN COUNTY )

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

WAYNE PIPE & SUPPLY, INC.  
Bidder (Firm)

R.C. Schmieman  
Signature of Bidder or Agent

Subscribed and sworn to before me this 28TH day of NOV, 1989.

My Commission Expires: 11/19/93

County of Residence: ALLEN

JANICE KAY BELL  
Notary Public

JANICE KAY BELL  
Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of \_\_\_\_\_ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



PRICE SHEET

CURB BOXES - CHARLOTTE BRAND ONLY

QTY	UNIT	DESCRIPTION	BRAND	PART #	UNIT	/	TOTAL
800	EA +/-	COMPLETE W/LID #93E	CHARLOTTE		\$ 14.99	/	\$ 11,992.00
100	EA +/-	24" TOP SECTION	CHARLOTTE		\$ 8.92	/	\$ 892.00
300	EA +/-	9" EXTENSION	CHARLOTTE		\$ 4.00	/	\$ 1,200.00
100	EA +/-	16" EXTENSION	CHARLOTTE		\$ 4.97	/	\$ 497.00
50	EA +/-	BOTTOM SECTION	CHARLOTTE		\$ 6.07	/	\$ 303.50

CURB BOXES - TYLER BRAND ONLY

50	EA +/-	ENLARGED BASE #6500	TYLER		\$ 10.10	/	\$ 505.00
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CURB BOXES - MUELLER BRAND ONLY

1600	EA +/-	REPAIR LID #H10374	MUELLER		\$ 5.40	/	\$ 8,640.00
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TOTAL: \$ 24,029.50

FOB: FORT WAYNE

DELIVERY TIME ARO: 2 - 3 WEEKS



PRICE SHEET

VALVE BOXES - CHARLOTTE BRAND ONLY

QTY	UNIT	DESCRIPTION	BRAND	PART #	UNIT	/	TOTAL
250	EA +/-	LIDS	CHARLOTTE		\$ 4.98	/\$	1,245.00
1	EA +/-	TOP SECT 12" LONG	CHARLOTTE		\$ 15.02	/\$	15.02
100	EA +/-	TOP SECT 16" LONG	CHARLOTTE		\$ 18.60	/\$	1,860.00
300	EA +/-	TOP SECT 28" LONG	CHARLOTTE		\$ 24.33	/\$	7,299.00
25	EA +/-	BOTTOM SECT 18" LONG	CHARLOTTE		\$ 10.74	/\$	268.50
25	EA +/-	BOTTOM SECT 24" LONG	CHARLOTTE		\$ 12.14	/\$	303.50
100	EA +/-	BOTTOM SECT 30" LONG	CHARLOTTE		\$ 13.59	/\$	1,359.00
50	EA +/-	EXTENSION 12" LONG	CHARLOTTE		\$ 9.14	/\$	457.00
50	EA +/-	BASE	CHARLOTTE		\$ 13.59	/\$	679.50

VALVE BOX - TYLER BRAND ONLY

250	EA +/-	VB12 EXTENSION, W/V8	TYLER		\$ 11.65	/\$	2,912.50
		DROP LID					
1	EA +/-	LID ONLY	TYLER		\$ 9.32	/\$	9.32

TOTAL: \$ 16,408.34

FOB: FORT WAYNE

DELIVERY TIME ARO: 2 - 3 WEEKS



# Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

## BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Wayne Pipe & Supply, Inc.1815 South Anthony Blvd., Fort Wayne, IN

....., as Principal, (hereinafter called the "Principal"), and  
 the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized  
 under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound  
 unto City of Fort Wayne, Indiana

..... as Obligee, (hereinafter called the "Obligee"),  
 in the sum of Five Percent (5%) of Contractors Maximum Bid ----- Dollars (\$.....),  
 for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves,  
 our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Bid Reference 899Furnishing Valves and Curb Boxesper plans and specifications

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into  
 a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be  
 specified in the bidding or contract documents with good and sufficient surety for the faithful performance of  
 such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the  
 event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal  
 shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said  
 bid and such larger amount for which the Obligee may in good faith contract with another party to perform  
 the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 29th day of November A.D. 1989

James R. Bore  
 Witness

WAYNE PIPE &amp; SUPPLY, INC.

James Wilson (SEAL)  
 Principal  
Vice President  
 Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
Surety

Catherine D. Ullis  
 Witness

By Gerald Clancy (SEAL)  
 Gerald Clancy  
 Attorney-in-fact  
 Title



**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Walter E. Boose, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of Fort Wayne, Indiana, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, et al, dated, April 2, 1986.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of October, A.D. 1987.

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

*C. W. Robbins*  
Assistant Secretary

By

*C. M. Pecot, Jr.*  
Vice-President

STATE OF MARYLAND  
CITY OF BALTIMORE

SS:

On this 1st day of October, A.D. 1987, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.



*Carol J. Fader*  
Notary Public Commission Expires July 1, 1990

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 29th day of November, 1989.

044-2987

*Christopher T. Knadler*  
Assistant Secretary



DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 899 for curb and valve boxes for Water Maintenance for 1990. The costs reflect the most responsive of four (4) vendors.

*S-85-12-54*

EFFECT OF PASSAGE: Curb boxes allow the Department to turn water service off and on at customer's home, otherwise shutoff would have to be done on large section of neighborhood to do repair, also used in disconnect non-payment of utility bills. Valve boxes enable the Department to control water distribution system for shutoff of water to fix main breaks and leaks with minimum amount of customers affected.

EFFECT OF NON-PASSAGE: Without these items, would not be able to control water problems with minimal time, for customers and utility.

MONIES INVOLVED:	Wayne Pipe	\$32,000.00 +/-
	Treaty Co	\$9,000.00 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: Water Maint 513-523-W154-4299

PRIOR APPROVAL: DATE:  
(IF APPLICABLE)



BILL NO. S-89-12-54

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
MARK E. GIAQUINTA, VICE CHAIRMAN  
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the  
awarding of Reference #899 by the City of Fort Wayne, Indiana,  
by and through its Department of Purchasing and WAYNE PIPE  
& SUPPLY, INC. AND THE TREATY COMPANY for the Water Maintenance  
Department

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<u>Burns</u>			
<u>Mark E. Giaquinta</u>			
<u>Henry Long</u>			
<u>Talarico</u>			

DATED: 1-9-90

Sandra E. Kennedy  
City Clerk



Read the first time in full and on motion by Henry, seconded by Salmer, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 12-26-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Henry, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT				<u>✓</u>
TALARICO	<u>✓</u>			

DATED: 1-9-90.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-13-90

on the 9th day of January, 1990.

ATTEST  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1990, at the hour of 11:00 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of January, 1990, at the hour of 3:45 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR